

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

THURSDAY, APRIL 13, 2006

6 PM

CHAIRMAN: MARION WRIGHT
VICE CHAIRMAN: JEAN WALLACE MCLEAN
INTERIM ADMINISTRATORS: MILES HADLEY
CARY MCSWAIN
COUNTY ATTORNEY: DONNIE MCDONALD

COUNCIL: JEAN MCLEAN, JEFF QUICK,
MICKEY ROGERS, CORRIE H. PLATO,
DR. CAROLYN PRINCE, KEN ALLEN,
EDMOND BLUE, AND MARION WRIGHT

* ABSENT

CALL TO ORDER

INVOCATION

APPROVAL OF MINUTES – MARCH 9, 2006

Motion made by Mr. Jeff Quick, seconded by Ms. Jean McLean approving the minutes of March 9, 2006. Vote in favor. Unanimous. Motion Carried.

PRESENTATIONS

Marcella “Priss” Bryant and Godfrey Johnson – Mr. Marion Wright, Chairman of County Council presented retirement clocks to Ms. Marcella “Priss” Bryant and Mr. Godfrey Johnson. Ms. Bryant was Marlboro County’s Payroll and Accounts Payable Clerk. She worked for the County for seventeen (17) years. Mr. Godfrey Johnson was Marlboro County’s Building

Inspector. He worked for the County for eight years. Mr. Wright congratulated Ms. Bryant and Mr. Johnson on their retirements March 31, 2006.

Chief Larry McNeil, Bennettsville Police Department and Sheriff Fred Knight, Marlboro County Sheriff's Department – Mr. Marion Wright, Chairman of County Council presented Resolutions recognizing both Chief McNeil and Sheriff Knight and their Staffs for their excellent performance of duty in the handling of the situation downtown on March 29, 2006. The way both teams worked together saved many innocent lives during a very dangerous situation.

PUBLIC HEARING

ORDINANCE # 603 – AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT BETWEEN MARLBORO COUNTY AND MARLBORO WATER COMPANY, INC.

No Comments were made.

ORDINANCE # 604 – AN ORDINANCE TO AUTHORIZE AND DIRECT THE CHAIRMAN OF COUNTY COUNCIL AND THE CLERK TO THE COUNCIL TO EXECUTE, ON BEHALF OF THE COUNTY, A EASEMENT WITH MARLBORO COUNTY, SOUTH CAROLINA, AS GRANTOR, AND MARLBORO WATER COMPANY, INC. AS GRANTEE, UNDER THE RAILROAD OWNED BY MARLBORO COUNTY ON BEAUTY SPOT ROAD

No Comments were made.

ORDINANCE # 606 – AN ORDINANCE AUTHORIZING THE TRANSFER OF PROPERTY FROM A LEASE AGREEMENT, WITH AN INFRASTRUCTURE TAX CREDIT PURSUANT TO TITLE 4, CHAPTER 12 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED TO A FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; THE ENTERING INTO A CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTUMENTS INCLUDING THE AFORESAID FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT AND PRESCRIBING MATTERS RELATED THERETO

No Comments were made.

The Public Hearing was closed.

OLD BUSINESS

ORDINANCE # 603 – AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT BETWEEN MARLBORO COUNTY AND MARLBORO WATER COMPANY, INC.

Motion made by Edmond Blue, seconded by Mr. Ken Allen to approve the second reading of Ordinance # 603 – An Ordinance approving the settlement agreement between Marlboro County and Marlboro Water Company, Inc. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 604 – AN ORDINANCE TO AUTHORIZE AND DIRECT THE CHAIRMAN OF COUNTY COUNCIL AND THE CLERK TO THE COUNCIL TO EXECUTE, ON BEHALF OF THE COUNTY, A EASEMENT WITH MARLBORO COUNTY, SOUTH CAROLINA, AS GRANTOR, AND MARLBORO WATER COMPANY, INC. AS GRANTEE, UNDER THE RAILROAD OWNED BY MARLBORO COUNTY ON BEAUTY SPOT ROAD FOR THE SOLE PURPOSE OF THE INSTALLATION OF A WATER LINE – THIRD READING

Motion made by Mr. Jeff Quick, seconded by Ms. Jean McLean to approve the third reading of Ordinance # 604 – An Ordinance to authorize and direct the Chairman of County Council and the Clerk to the Council to execute, on behalf of the County, a easement with Marlboro County, South Carolina, as grantor, and Marlboro Water Company, Inc. as grantee, under the railroad owned by Marlboro County on Beauty Spot Road for the sole purpose of the installation of a water line. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 605 – AN ORDINANCE TO APPROVE THE CAPITAL IMPROVEMENT PLAN FOR MARLBORO COUNTY FOR THE PERIOD OF FY 2007 – FY 2011 – SECOND READING

Mr. Cary McSwain, Interim Administrator advised he prefer putting the second reading of Ordinance # 605 off to defer with the second reading of the Budget.

Motion made by Ken Allen, seconded by Ms. Mickey Rogers to defer the second reading of Ordinance # 605 until the May meeting to coincide with second reading of the Budget. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 606 – AN ORDINANCE AUTHORIZING THE TRANSFER OF PROPERTY FROM A LEASE AGREEMENT, WITH AN INFRASTRUCTURE TAX CREDIT PURSUANT TO TITLE 4, CHAPTER 12 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED TO A FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT PURSUANT TO TITLE 12, CHAPTER 44 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; THE ENTERING INTO A CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTUMENTS INCLUDING THE AFORESAID FEE AND INFRASTRUCTURE TAX CREDIT AGREEMENT AND PRESCRIBING MATTERS RELATED THERETO – SECOND READING

Mr. Donnie McDonald, County Attorney discussed briefly. He clarified that this is the Rockwell Plant which operates under Reliance Electric. He explained this just transfers their Title to them.

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to approve the second reading of Ordinance # 606 - An Ordinance authorizing the transfer of property from a lease agreement, with an infrastructure tax credit pursuant to Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended to a fee and infrastructure tax credit agreement

pursuant to title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; the entering into a certain covenants and agreements and the execution and delivery of certain instruments including the aforesaid fee and infrastructure tax credit agreement and prescribing matters related thereto. Vote in favor: Mr. Edmond Blue, Ms. Mickey Rogers, Mr. Jeff Quick, Mr. Ken Allen, Ms. Jean McLean, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Dr. Carolyn Prince. Motion carried.

ORDINANCE # 608 - AN ORDINANCE TO AUTHORIZE MARLBORO COUNTY TO ENTER INTO AN AGREEMENT WITH THE CITY OF BENNETTSVILLE TO PROVIDE FOR THE EXCHANGE OF SERVICES BETWEEN THE CITY OF BENNETTSVILLE AND MARLBORO COUNTY – SECOND READING

Mr. Cary McSwain, Interim Administrator advised this is an agreement already in force – exchange of services.

Motion made by Mr. Ken Allen, seconded by Ms. Mickey Rogers to approve the second reading of Ordinance # 608 – An Ordinance to authorize Marlboro County to enter into an agreement with the City of Bennettsville to provide for the exchange of services between the City of Bennettsville and Marlboro County. Vote in favor. Unanimous. Motion Carried.

NEW BUSINESS

ORDINANCE # 607 – AN ORDINANCE TO ADOPT THE ANNUAL BUDGET AND TO MAKE APPROPRIATIONS FOR MARLBORO COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007 – (TITLE ONLY) - FIRST READING

Motion made by Mr. Jeff Quick, seconded by Mr. Ken Allen to approve the first reading (Title Only) of Ordinance # 608 – An Ordinance to adopt the annual budget and to make appropriations for Marlboro County for the Fiscal Year beginning July 1, 2006 and ending June 30, 2007. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 04-06-02 – A RESOLUTION APPROVING WORK AUTHORIZATION 06-01 FOR DESIGN AND BIDDING SERVICES FOR THE MARLBORO COUNTY AIRPORT

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato approving Resolution # 04-06-01 – A Resolution approving work authorization 06-01 for Design and Bidding Services for the Marlboro County Airport. Vote in favor. Unanimous. Motion Carried.

REQUEST PERMISSION FOR ACCEPTANCE OF COMPUTER SERVICES AGREEMENT WITH SMITH DATA FISCAL YEAR JULY 1, 2006 – JUNE 30, 2007.

Mr. Cary McSwain explained this is a pre-budget item contingent upon approval of the Budget.

Motion made by Mr. Jeff Quick, seconded by Ms. Jean McLean approving acceptance of Computer Services agreement with Smith Data Fiscal Year July 1, 2006 – June 30, 2007. Vote in favor. Unanimous. Motion Carried.

REQUEST PERMISSION FOR ACCEPTANCE OF FORMS AND/OR SUPPLIES AGREEMENT WITH SMITH DATA FISCAL YEAR JULY 1, 2006 – JUNE 30, 2007.

Motion made by Ms. Jean McLean, seconded by Ms. Corrie Plato approving acceptance of forms and/or supplies agreement with Smith Data Fiscal Year July 1, 2006 – June 30, 2007. Vote in favor. Unanimous. Motion Carried.

ACCEPTANCE OF INTERGOVERNMENTAL AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

Mr. Cary McSwain, Interim Administrator discussed briefly. He clarified this is for a GIS Survey which is being handled through Pee Dee Council of Governments. No funds are required.

Motion made by Dr. Carolyn Prince, seconded by Mr. Ken Allen to approve the acceptance of the intergovernmental agreement for community Development Block Grant Projects. Vote in favor. Unanimous. Motion carried.

OPENING AND ACCEPTANCE OF BIDS

Recreation – Lindsay Park Fence (PARD Grant)

Bids received for the Lindsay Park Fence were: Palmetto Awning & Fence, Inc. (Bennetttsville) in the amount of \$23,296.00 and Henley's Construction Co., Inc. (Cheraw) in the amount of \$32,000.00.

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato to accept the bid from Palmetto Awning & Fence, Inc. in the amount of \$23,296.00. Vote in favor. Unanimous. Motion Carried.

Public Works – Crush & Run

Bids received for Crush & Run for the Public Works Departments were: Thomas Blues' Construction (Cheraw) – 3962 tons for \$49,962, McDuffie Contractors, Inc. (Bennetttsville) – 2944.64 tons for \$50,000, Hanson Aggregates (Jefferson) – 3628 tons for \$50,000, Vulcan Materials (Rains) – 4014 tons for \$49,994.37, and Furr Grading & Paving, Inc. – 3894 tons for \$50,000. Local preference was given consideration.

Motion made by Ms. Mickey Rogers, seconded by Dr. Carolyn Prince to accept the bid from Thomas Blues' Construction. in the amount of \$49,962 for 3962 tons of Crush & Run. Vote in favor: Ms. Mickey Rogers, Mr. Jeff Quick, Mr. Ken Allen, Ms. Jean McLean, Dr.

Carolyn Prince, Ms. Corrie Plato, and Mr. Marion Wright. Abstain: Mr. Edmond Blue. Motion Carried.

Public Works – Sale of Surplus Goods

Bids from Williams Auto Sales and Webster Garage were rejected (no opened) by Council. They were received after the deadline date.

The following bids were submitted for the Sale of Surplus Goods: Bid # 1 – No Bids, Bid # 2 – No Bids, Bid # 3 – John Grooms \$150.00, Bid # 4 – No Bids, Bid # 5 – No Bids, Bid # 6 – No Bids, Bid # 7 – Tracy Thompson \$225.00, Bid # 8 – No Bids, Bid # 9 – Robert Covington \$100.00, Bid # 10 – Robert Covington \$100.00, Bid # 11 – No Bids, Bid # 12 – John Grooms \$200.00, Bid # 13 – No Bids, Bid # 14 – B.W. Anderson \$103.50, Bob Haines \$206.00, and Richard Rogers \$1370.00, Bid # 15 – B. W. Anderson \$101.00, Bid # 16 – Tractor Traders \$3000.00, Hosea Lemon Jr. \$2000.00, Hosea Lemon (second bid) \$2500.00, and Jay Jackson \$1800.00., Bid # 17 – Tractor Traders \$7500.00 and Charlie Rogers \$7170.00., Bid # 18 – No Bids.

Motion made by Dr. Carolyn Prince, seconded by Mr. Jeff Quick to accept the highest bid submitted for each item. The items not bid on are to be sold as scrap metal. Vote in favor. Unanimous. Motion Carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

No appointments were made.

REPORTS

COMMITTEE REPORTS

Library Project - Mr. Marion Wright advised architects were revising the plans and the Library Design Committee would meet again soon.

ADMINISTRATIVE/FINANCIAL REPORT – CARY MCSWAIN, INTERIM COUNTY ADMINISTRATOR

Mohawk Project – The rail line is being installed and the issues are being worked out with the companies involved.

Courthouse Security – the plan for rearranging the flow at the Courthouse for better security is work in progress and will be presented to Council in the near future.

Landscaping – Tommy Taylor was prepared to begin the Courthouse landscaping on the 17th. Mr. Taylor plans to have the project completed by the end of April.

Codification – advised we need to have the proposed Codification documents reviewed and submit any changes requested within a forty-five time limit of the meeting we held with the company doing our codification. Requested permission to have outside attorneys familiar with codification review it in order to make the deadline. Everyone was agreeable.

Employee Luncheon – requested permission to hold the annual employee luncheon in May. Everyone was agreeable.

Mobile Home Ordinance – Discussed making changes to allow citizens to bring the older mobile homes up to standard in order to help them move them. This will allow people with older mobile homes options. Will bring the draft back to Council when prepared.

Executive Session - proposed that Council consider an Executive Session at the end of the Council Meeting to discuss a contractual problem

Expenditure Cut Off Date - advised he was considering an early cut date for expenditures. Council was agreeable.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

No Citizens were heard.

RECOGNITION OF COUNCIL MEMBERS

Mr. Jeff Quick – commended the County Staff members on behalf of the Recreation Committee for the work related improvements at Lindsay Park. He advised that while some of the trees had to be removed to make room for the new ball fields, the area would be landscaped again.

Mr. Quick also questioned the City of Bennettsville's potential contribution of \$500,000 to the Marian Wright Edelman Library project. He was advised the Library Finance Committee would begin pursuing funding once the design has progressed a little further.

Dr. Carolyn Prince - asked if County has received feed-back from the City of Bennettsville on the possibility of sharing the cost of improvements to the speculative building in the County Industrial Park. She was advised no feed back has been received.

Dr. Prince asked whether the grant writer has found any funding sources for the walk through metal detectors for the Courthouse. She was advised a grant application has been submitted and if approved would pay for both the metal detectors as well as two sheriff deputies that would be required to operate them.

Ms. Corrie Plato – questioned members of the Recreation Committee about whether pants would be supplied for the children who will participate in the summer sports. She was advised the area recreation commissions are holding fundraisers to help supply the needed uniforms.

Page Eight – April 13, 2006 Minutes

ADJOURNMENT & EXECUTIVE SESSION

Motion made by Mr. Ken Allen, seconded by Ms. Mickey Rogers to enter Executive session after adjournment of the Regular Council Meeting to discuss a contractual issue. Vote in favor. Unanimous. Motion Carried.

There was no further discussion. The meeting was adjourned.

Minutes were approved May 11, 2006

Susan E. Rivers, Clerk to Council